

**IN THE DRAWINGS:**

Please REPLACE Figure 1 and Figure 2 with the Replacement sheets as attached to this Response.

### **REMARKS**

The Office Action dated February 24, 2006, has been received and carefully noted. The above amendments to the specification, drawings, claims, and the following remarks, are submitted as a full and complete response thereto.

Claims 1, 22 and 32 have been amended to more particularly point out and distinctly claim the invention. No new matter has been added, and no new issues are raised which require further consideration and/or search. Claims 3, 4 and 27 have been cancelled. Claims 1, 2, and 5-32 are submitted for consideration.

Claims 1, 2, 5-9, 11-13, 15-19, 21-25 and 28-32 were rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Publication No. US 2003/0036350 to Jonsson. The rejection is traversed as being based on a reference that neither teaches nor suggests the novel combination of features clearly recited in independent claims 1, 22 and 32.

Claim 1, upon which claims 2 and 5-21 depend, recites a method of establishing a user group amongst a plurality of mobile terminals. The method includes receiving at a host device, from at least one of a plurality of mobile terminals, at least one identity associated with each said mobile terminal. The method also includes grouping and collecting, at the host device, the identities associated with the mobile terminals, to thereby establish a user group, wherein each of the at least one of said mobile terminals transmits its associated identity to the host device on a local communication link. The host device is associated with a mobile communications network. The method further includes transmitting the user group to the mobile communications network; and

providing services to the mobile terminals of the user group from the mobile communications network once the local communications link is no longer powerful enough to communicate with those terminals.

Claim 22, upon which claims 23-31 depend, recites a device for establishing a user group amongst a plurality of mobile terminals. The device includes means for receiving an identity associated with each of the mobile terminals. The means is configured to receive the identities on a local communication link. The device also includes means for grouping or collecting the associated identities to thereby establish a user group. The device also include means for transmitting the user group to the mobile communications network and for providing services to the mobile terminals of the user group from the mobile communications network once the local communications link is no longer powerful enough to communicate with those terminals.

Claim 32 recites a mobile communications system including a device for establishing a user group amongst a plurality of mobile terminals of the system, including a host device for receiving an identity associated with each of the mobile terminals. The host device is configured to receive the identities on a local communication link, wherein the host device is associated with a mobile communications network. The host device further is configured to group or collect the associated identities to thereby establish a user group. The system also includes means for transmitting the user group to the mobile communications network and for providing services to the mobile terminals of the user

group from the mobile communications network once the local communications link is no longer powerful enough to communicate with those terminals.

As outlined below, Applicant submits that the cited reference of Jonsson does not teach or suggest the elements of the presently pending claims.

Jonsson discloses a Bluetooth device for maintaining a list of other Bluetooth devices in the vicinity. Jonsson is concerning with ordering the list based on how well those other devices match an initiating device's requirements. See at least paragraphs 0007 and 0037.

Applicant submits that Jonsson simply does not teach or suggest each element recited in the presently pending claims. Each of independent claims 1, 22 and 32, in part, recites transmitting the user group to the mobile communications network; and providing services to the mobile terminals of the user group from the mobile communications network once the local communications link is no longer powerful enough to communicate with those terminals. Jonsson is completely silent on the issue of using different types of network. Therefore, Jonsson does not teach or suggest transmitting the user group to the mobile communications network; and providing services to the mobile terminals of the user group from the mobile communications network once the local communications link is no longer powerful enough to communicate with those terminals, as recited in claims 1, 22 and 32. Hence, Applicant respectfully assert that the rejection under 35 U.S.C. §102(e) should be withdrawn because Jonsson simply does not teach or

suggest each of the features of claims 1, 22 and 32 and hence, dependent claims 2, 5-9, 11-13, 15-19, 21, 23-25 and 28-31 thereon.

Claims 3, 4 and 27 were rejected under 35 U.S.C. 103(a) as being unpatentable over Jonsson in view of U.S. Patent Publication No. 2003/0177219 to Taib. According to the Office Action, Jonsson teaches all of the elements of claims 3, 4 and 27 except for the step of transmitting the user group to the mobile communications network. Therefore, the Office Action combined the teachings of Jonsson and Taib to yield all of the elements of claims 3, 4 and 27. The rejection is traversed as being based on references that neither teach nor suggest the novel combination of features clearly recited in independent claims 1 and 22, which currently recite the subject matter previously recited in cancelled claims 3, 4 and 27.

Taib discloses a system for routing communications between a base station of a mobile telecommunications network and a target device of a local, ad-hoc network, such as a Bluetooth network. According to Taib, one device in the ad-hoc network acts as a managing device and as a gateway between the ad-hoc network and a base station. The base station maintains a table of identities of the devices in the ad-hoc network by polling them via the gateway device. See at least paragraphs 0084 and 0085.

Taib does not cure the deficiencies of Jonsson with respect to claims 1, 22 and 32, as outlined above. The present invention is concerned with the problem of how to provide services to users of a group created via a local link after that local link is no longer available. For example, the group may include the attendees of a conference and

the present invention may allow those attendees to be contacted once the conference has dispersed. See at least paragraph 0039 of the present invention. Taib does not anticipate any such problem and therefore provides no motivation for using a mobile communications network to provide services to the users of such a group once the local link is no longer available, as recited in claims 1, 22 and 32.

Taib, in contrast, is concerned with the problem of how to route communications from the mobile communication network **via the local, ad-hoc network**. The entire purpose of maintaining a list of terminals in the ad-hoc network at the base station, as disclosed in Taib, is so that communications can be routed to those stations via the local, ad-hoc network links. Note that according to paragraph 0084 of Taib, if one of the mobile terminals is directly reachable by the base station, then that mobile terminal will be polled directly via the normal mobile telecommunications network link, not via the gateway/master device and local, ad-hoc network. Therefore, the directly reachable mobile terminals in Taib do not form part of the group of devices whose identities are transmitted from the gateway/master device. Since the point of Taib is to route communications via the local, ad-hoc network to a group of mobile terminals that are **not** directly reachable from the base station, a person skilled in the art would find no motivation in Taib to communicate with the terminals of that group without using a local, ad-hoc link. In fact, according to Taib, it would be impossible to do so. Therefore, the combination of Taib and Jonsson does not teach or suggest transmitting the user group to the mobile communications network; and providing services to the mobile terminals of

the user group from the mobile communications network once the local communications link is no longer powerful enough to communicate with those terminals, as recited in claims 1, 22 and 32. Hence, Applicant respectfully assert that the rejection under 35 U.S.C. §103(a) should be withdrawn because neither Taib nor Jonsson, whether taken singly or combined, teaches or suggests each of the features of claims 1, 22 and 32.

Claim 10 rejected under 35 U.S.C. 103(a) as being unpatentable over Jonsson in view of U.S. Patent No. 6,754,470 to Hendrickson. According to the Office Action, Jonsson teaches all of the elements of claim 10 except for teaching the stored characteristic being at least one of a date, time and location stamp. Therefore, the Office Action combined the teachings of Jonsson and Hendrickson to yield all of the elements of claim 10. The rejection is traversed as being based on references that neither teach nor suggest the novel combination of features clearly recited in independent claim 1, upon which claim 10 is dependent.

Hendrickson relates to a system and method for measuring wireless device and wireless network usage and performance metrics. See at least the Abstract of Hendrickson. Hendrickson does not cure the deficiencies of Jonsson with regard to claim 1, as outlined above. Specifically, the combination of Hendrickson and Jonsson simply does not teach or suggest transmitting the user group to the mobile communications network; and providing services to the mobile terminals of the user group from the mobile communications network once the local communications link is no longer powerful enough to communicate with those terminals, as recited in claim 1. Hence,

Applicant respectfully assert that the rejection under 35 U.S.C. §103(a) should be withdrawn because neither Hendrickson nor Jonsson, whether taken singly or combined, teaches or suggests each of the features of claim 1, and hence dependent claim 10, thereon.

Claim 14 rejected under 35 U.S.C. 103(a) as being unpatentable over Jonsson in view of U.S. Patent No. 6,754,250 to Haartsen. According to the Office Action, Jonsson teaches all of the elements of claim 14 except for transmitting the identities of the group to the plurality of terminals. Therefore, the Office Action combined the teachings of Jonsson and Haartsen to yield all of the elements of claim 14. The rejection is traversed as being based on references that neither teach nor suggest the novel combination of features clearly recited in independent claim 1, upon which claim 14 is dependent.

Haartsen relates to frequency hopping radio systems and to multiple, uncoordinated frequency hopping radios that try to form a wireless network. Haartsen does not cure the deficiencies of Jonsson with regard to claim 1, as outlined above. Specifically, the combination of Haartsen and Jonsson simply does not teach or suggest transmitting the user group to the mobile communications network; and providing services to the mobile terminals of the user group from the mobile communications network once the local communications link is no longer powerful enough to communicate with those terminals, as recited in claim 1. Hence, Applicant respectfully assert that the rejection under 35 U.S.C. §103(a) should be withdrawn because neither



Haartsen nor Jonsson, whether taken singly or combined, teaches or suggests each of the features of claim 1, and hence dependent claim 14, thereon.

Claim 20 rejected under 35 U.S.C. 103(a) as being unpatentable over Jonsson in view of U.S. Patent No. 6,928,263 to Blake. According to the Office Action, Jonsson teaches all of the elements of claim 20 except for teaching that the device is a dedicated host. Therefore, the Office Action combined the teachings of Jonsson and Blake to yield all of the elements of claim 20. The rejection is traversed as being based on references that neither teach nor suggest the novel combination of features clearly recited in independent claim 1, upon which claim 20 is dependent.

Blake does not cure the deficiencies of Jonsson with regard to claim 1, as outlined above. Specifically, the combination of Blake and Jonsson simply does not teach or suggest transmitting the user group to the mobile communications network; and providing services to the mobile terminals of the user group from the mobile communications network once the local communications link is no longer powerful enough to communicate with those terminals, as recited in claim 1. Hence, Applicant respectfully assert that the rejection under 35 U.S.C. §103(a) should be withdrawn because neither Blake nor Jonsson, whether taken singly or combined, teaches or suggests each of the features of claim 1, and hence dependent claim 20, thereon.

Claim 26 rejected under 35 U.S.C. 103(a) as being unpatentable over Jonsson in view of U.S. Patent No. 6,820,126 to Sibecas. According to the Office Action, Jonsson teaches all of the elements of claim 26 except for teaching that the short-range link is an

infrared link. Therefore, the Office Action combined the teachings of Jonsson and Sibecas to yield all of the elements of claim 26. The rejection is traversed as being based on references that neither teach nor suggest the novel combination of features clearly recited in independent claim 22, upon which claim 26 is dependent.

Sibecas is directed to a system for dynamic process assignment among a plurality of devices, including an initial coordinator, a requesting device and a resource device. Sibecas does not cure the deficiencies of Jonsson with regard to claim 22, as outlined above. Specifically, the combination of Sibecas and Jonsson simply does not teach or suggest transmitting the user group to the mobile communications network; and providing services to the mobile terminals of the user group from the mobile communications network once the local communications link is no longer powerful enough to communicate with those terminals, as recited in claim 22. Hence, Applicant respectfully assert that the rejection under 35 U.S.C. §103(a) should be withdrawn because neither Sibecas nor Jonsson, whether taken singly or combined, teaches or suggests each of the features of claim 22, and hence dependent claim 26, thereon.

Furthermore, Applicant respectfully submits that the Office Action has pieced together six references to teach the claimed invention. However, MPEP 2143.01 instructs that “[t]he mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination. In re Mills, 916 F.2d 680, 16 USPQ 2d 1430 (Fed. Cir. 1990).” MPEP 2143.01 further instructs that “[a]lthough a prior art device ‘may be capable of

being modified to run the way the apparatus is claimed, there must be a suggestion or motivation in the reference to do so.’” Applicant respectfully submits that the cited references do not provide such a suggestion or motivation. Applicant submit that the only motivation to piece together the six references of the Office Action is found in Applicant’s own application. MPEP 2141, under the heading “Basic Consideration Which Apply to Obviousness Rejections,” points out that “the references must be viewed without the benefit of impermissible hindsight vision afforded by the claimed invention.”

In view of MPEP 2144.03, absent any teaching or suggestion in the prior art to adapt the teachings of Jonssen to meet the claimed invention, and because the rejection lacks evidence of a teaching or suggestion that the features would have been obvious to one of ordinary skill, the rejections under 35 U.S.C. §103(a) are improper. Accordingly, Applicant respectfully submits that the rejections under 35 U.S.C. §103(a) should be withdrawn and Applicants respectfully request allowance of claims 1, 2, and 4-32 and the prompt issuance of a Notice of Allowability.

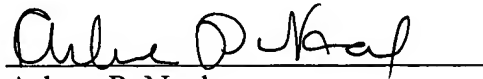
As noted previously, claims 1, 2, and 4-32 recite subject matter which is neither disclosed nor suggested in the prior art references cited in the Office Action. It is therefore respectfully requested that all of claims 1, 2, and 4-32 be allowed and this application passed to issue.

If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by

telephone, the applicant's undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

In the event this paper is not being timely filed, the applicant respectfully petitions for an appropriate extension of time. Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account 50-2222.

Respectfully submitted,



Arlene P. Neal

Registration No. 43,828

**Customer No. 32294**  
SQUIRE, SANDERS & DEMPSEY LLP  
14<sup>TH</sup> Floor  
8000 Towers Crescent Drive  
Tysons Corner, Virginia 22182-2700  
Telephone: 703-720-7800  
Fax: 703-720-7802

APN:kmp:jf

Enclosures: Replacement Sheet drawings (Figures 1 and 2)  
Petition for a One-Month Extension of Time  
Check No. 14612